

**DECLARATION OF MEIR ORNSTEIN**

I, Meir Ornstein, declare as follows:

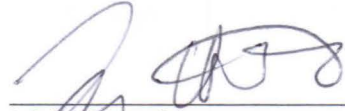
1. I am 46 years of age and I reside in Rockland County, New York.
2. I am a U.S. citizen and am of the Jewish faith.
3. For several years, I have been licensed by the New York State to carry a concealed handgun. My license is still valid and active.
4. Prior to September 1, 2022 – the date that the new concealed carry law went into effect in New York State – I would always carry a concealed firearm with me. I did so out of concern for my safety, given the high incidence of anti-Jewish hate crime throughout the state and the country.
5. Prior to September 1, 2022, I regularly attended religious prayer services at a Chasidic synagogue, or *shul*, called Congregation Zemach David of Dinev (“Zemach David”), which is located in Airmont in Rockland County and led by Rabbi Mendel Rubin.
6. Whenever I attended Zemach David, I carried my concealed handgun. The shul and its members were aware that I was doing so, and they all approved of it.
7. In fact, the shul is not far from the location where, less than three years ago, a man wielding a large knife invaded the home of a Hasidic rabbi in Monsey during a Chanukah party and began stabbing the guests, critically injuring several and killing one.
8. The Zemach David shul staff and members were grateful for the protection that my firearm provided, because we all understood the reality that we were targets for acts of violence by anti-Semitic extremists.
9. Under the new Concealed Carry Improvement Act (“CCIA”), I am prohibited from carrying a firearm in any “sensitive location.” The CCIA defines sensitive locations to include “places of worship or religious observation.” Since Zemach David is a place of worship as well as a place of religious observation, I am forbidden from carrying my firearm on the premises of the shul, despite the fact that I have a preexisting license to do so.
10. I fall into none of the categories of individuals who are exempt from this statutory prohibition.

11. Under the new law, I am prohibited from carrying my handgun while on Zemach David's property, or the property of any shul for that matter.
12. I have been told that if the New York State statutory prohibition against possessing firearms in places of worship or religious observation did not exist, Zemach David would allow me to resume carrying my concealed handgun on its property.
13. I am apprehensive and fearful of attack by anti-Jewish extremists, and as a direct consequence of the new statutory prohibition on possessing firearms in places of worship or religious observation, I no longer attend Zemach David or any other shul with as much frequency as I did before the law went into effect.
14. Moreover, the new ban on carrying a weapon in places of "religious observation," has resulted in great uncertainty for me about where I am allowed to carry a weapon and where I am not.
15. As an observant Jew, nearly every location is a place of religious observation. I wear a *kippah* and *tzitzit* everyday, everywhere I go. I say prayers before and after meals at restaurants and at home. On Rosh Hashanah, I observe the ceremony of *tashlich* where we cast bread into a flowing body of water – often performed at a public park. On Sukkot, we eat and pray in outdoor, open air structures.
16. And, in addition to prayer at synagogue on weekends, we are required by Judaic law to pray with ten congregants three times a day. Morning, afternoon and night. The afternoon prayers often fall out in the middle of the workday, so we regularly organize prayer services in the workplace. Under the ban, "*mincha minyanim*" would be places of worship or religious observation even though they take place in all variety of "secular" locations outside of the shul.
17. As a result, it is unclear what the boundaries are to the statutory proscription on possessing a weapon in a "place of religious observation." Because of my confusion, I do not know where it is permitted for me to possess a firearm and where is it forbidden.
18. Consequently, I either have to forego carrying my firearm (which violates my right to self-defense under the Second Amendment) or forego practicing my faith (in violation of my right to free exercise under the First Amendment).
19. Since September 1, 2022, when I am carrying a concealed weapon, I have significantly curtailed my religious practice in an effort to comply with the new state law.


20. Further, because I cannot under any circumstances possess a firearm at a shul, and because I am fearful of attending services at a shul without having the ability to defend myself against violent attacks, I have had to substantially restrict my synagogue attendance.
21. I desire to carry a handgun without having to worry that I will be subject to arrest and charged with a felony because I am participating in a religious observance.
22. I should not have to choose between two fundamental constitutional rights.
23. Because my faith is an integral part of who I am, and because my Second Amendment right is fundamental, I unequivocally intend to continue engaging in acts of religious observation while carrying my concealed handgun despite the fact that doing so violates the CCIA.
24. I understand the CCIA prohibits carrying a weapon when engaging in religious observation but this is impossible for someone who is a devout Jew.
25. I am religious observant irrespective of whether I carry a firearm, therefore the CCIA prohibits not my legal carrying but my legal carrying because I am religious.
26. I fear that I will be arrested and prosecuted for violating the CCIA.
27. A copy of my signature, sent by facsimile transmission or electronically, may be treated as the original for the purpose of serving and filing this declaration.

I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

Executed this 23 day of September, 2022 at New York City, New York

  
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Meir Ornstein

ISAAC MAYER  
NOTARY PUBLIC, State of New York  
No. 01MA5022570  
Qualified in Rockland County  
Commission Expires Jan. 18, 2026

  
9-23-2022